

REMARKS

This Response is to the non-final Office Action dated November 30, 2007 and the personal interview granted courteously to Applicants' representatives on February 25, 2008. Claims 1 to 90 are pending and stand rejected. Claims 1, 2, 8 to 10, 15, 16, 21, 22, 27, 29 to 34, 37 to 41, 47, 48, 53, 55 to 79, and 81 to 90 have been amended herein without adding any new matter. Please charge Deposit Account No. for a Two Month Extension Of Time and any other fees deemed owed.

In the Office Action, claims 1 to 6, 8 to 13, 15 to 19, 21 to 25, 27 to 45, 47 to 51 and 53 to 90 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,470,319 to Mayer ("*Mayer*"). Claims 7, 14, 20, 26, 46 and 52 were rejected under 35 U.S.C. § 103(a) as being obvious over *Mayer* alone. Claims 1 and 9 were rejected under 35 U.S.C. § 112, second paragraph, for lack of antecedent basis and other informalities.

Regarding the 35 U.S.C. § 112, second paragraph, rejection, claims 1 and 9 have been amended accordingly as shown above. Applicants respectfully submit that the amendments overcome the rejection.

In general, independent claims 1, 9, 15, 21, 27, 34, 40, 41, 47, 53, 79 and 85 have been clarified to be more readable, clear and focused. Accordingly, ISO standard and other particulars recited in the preamble have been removed. The space between the housing and the valve being "generally annular" has been eliminated as it is not needed. The word "extension" used to describe the valve portion has been removed in all places for clarity. In certain claims (e.g., claim 1 and certain dependents), the word "valve" has been added in front of the word "portion" to help distinguish between a valve portion and a housing portion. In certain claims (e.g., claim 1), the words "first", "second" and/or "third" are added to distinguish between the different valve portions. None of the above independent claim amendments has been made to overcome the art of record or to disclaim any subject matter regarding same.

Certain dependent claims have been amended to correct claim dependency (e.g., claims 86 to 90). Indeed, each of dependent claims 2, 8, 10, 16, 22, 29, 30 to 33, 37 to 39, 48, 55 to 78 and 81 to 90 has been amended for clarity or consistency with the independent claim from which it depends. None of the above dependent claim amendments has been made to overcome the art of record or to disclaim any subject matter regarding same.

In the interview, Examiner generally agreed that the principal of operation between Applicants' valve and that of *Mayer* and *Lynn* is different. Applicants respectfully submit that the present claims set forth the functional relationship between the first, second and third valve portions and the introduced male luer tip, so as to distinguish the claims patentably over the art of record.


In the interview, *Mayer* and an additional reference, namely, U.S. Patent No. 5,474,544 to *Lynn* ("*Lynn*") were discussed. It was discussed that both *Mayer* and *Lynn* show a valve that is translated or compressed by the luer to open a fluid pathway. The present claims however claim a different principal of operation, namely, one in which the luer tip is inserted into the valve to force or pry the valve portion open. It was discussed that such arrangement provides certain advantages, namely, less dead space and more effective use of the sealing capability of the valve material within a given housing size.

The claims are further clarified to specify that the resulting seal between the luer tip and the valve is a *radial* seal about the luer tip, which further and clearly distinguishes the claims over both *Mayer* and *Lynn*.

Applicants accordingly respectfully submit that this case should be reissued with the present claims.

Respectfully submitted,

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